

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

**In re: BRIDGESTONE/FIRESTONE, INC.,) Master File No. IP 00-9373-C-B/S
TIRES PRODUCTS LIABILITY LITIGATION) MDL NO. 1373**

THIS DOCUMENT RELATES TO:

**ALL CASES WHICH WERE FILED IN THIS)
COURT ON OR BEFORE SEPTEMBER 30,)
2001, AND WHICH ARE OR WERE)
SUBJECT TO A MOTION TO DISMISS ON)
FORUM NON CONVENIENS GROUNDS)**

ORDER AMENDING DEADLINES FOR FOREIGN ACCIDENT CASES

Pursuant to the magistrate judge's instructions in her Entry for April 4, 2002, and her Entry for April 11, 2002, counsel involved in those cases in this MDL that are or were subject to a motion to dismiss on forum non conveniens grounds ("foreign accident cases") have conferred and agreed to the case management deadlines set forth below.

"FIRST WAVE" FOREIGN ACCIDENT CASES

The following cases (which are groups together by accident) have been denominated as "First Wave" cases by the parties:

A. Cases in which the plaintiffs are represented by Victor Diaz

1. IP 01-5321-C-B/S (*Pedraza*)
IP 01-5268-C-B/S (*Pedraza*)
2. IP 01-5011-C-B/S (*Salegui*)
IP 01-5013-C-B/S (*Rujano*)
3. IP 01-5100-C-B/S (*Albers*)
IP 01-5081-C-B/S (*Albers*)
IP 01-5095-C-B/S (*Albers*)
4. IP 01-5219-C-B/S (*LaCruz*)
IP 01-5220-C-B/S (*Beltran*)

5. IP 01-5113-C-B/S (*Dias*)
6. IP 01-5331-C-B/S (*Mendez*)
7. IP 01-5112-C-B/S (*Octavio*)
IP 01-5103-C-B/S (*Casadiegos*)
8. IP 01-5314-C-B/S (*Altuve*)
9. IP 01-5084-C-B/S (*Oca*)
IP 01-5105-C-B/S (*Oca*)
IP 01-5082-C-B/S (*Oca*)
IP 01-5085-C-B/S (*Oca*)
IP 01-5086-C-B/S (*Oca*)
10. IP 01-5120-C-B/S (*David*)
IP 01-5114-C-B/S (*David*)
IP 01-5115-C-B/S (*David*)
IP 01-5119-C-B/S (*David*)
11. IP 01-5111-C-B/S (*Paniz*)
IP 01-5107-C-B/S (*Paniz*)
IP 01-5102-C-B/S (*Paniz*)
12. IP 01-5118-C-B/S (*Alvarez*)
IP 01-5117-C-B/S (*Alvarez*)
IP 01-5260-C-B/S (*Padilla*)
13. IP 01-5191-C-B/S (*Perozo*)
IP 01-5189-C-B/S (*Perozo*)
IP 01-5190-C-B/S (*Perozo*)
14. IP 01-5222-C-B/S (*Brelje*)
15. IP 01-5221-C-B/S (*Figueredo*)
16. IP 01-5261-C-B/S (*Campos*)
IP 01-5262-C-B/S (*Esparza*)
IP 01-5263-C-B/S (*Junio*)
IP 01-5264-C-B/S (*Teran*)
IP 01-5265-C-B/S (*Roitman*)

B. Cases in which the plaintiffs are represented by Mike Eidson

1. IP 01-5193-C-B/S (*Aguilera*)
IP 01-5231-C-B/S (*Vallenila*)
2. IP 01-5347-C-B/S (*Engel*)
IP 01-5344-C-B/S (*Diaz*)
IP 01-5343-C-B/S (*Ordaz*)
3. IP 01-5177-C-B/S (*Sanchez*)
4. IP 01-5349-C-B/S (*Jaimés*)
5. IP 01-5350-C-B/S (*Graterol*)
IP 01-5346-C-B/S (*Sanchez*)

C. Cases in which the plaintiffs are represented by Edward Blumberg¹

1. IP 01-5326-C-B/S (*Hempel*)
IP 01-5327-C-B/S (*Blochwitz*)
IP 01-5325-C-B/S (*Haenske*)

D. Cases in which the plaintiffs are represented by Francis Anania and/or Jere Beasley:

1. IP 00-5079-C-B/S (*Viloria*)
2. IP 00-5078-C-B/S (*Castrillo*)

The following deadlines shall apply to each of these First Wave foreign accident cases:

1. The parties shall exchange lists identifying case-specific (i.e., “non-core”) expert witnesses and the topics on which they might offer expert testimony on or before **April 30, 2002**;
2. The plaintiffs shall serve their non-core expert witness reports by **May 31, 2002**;

¹This group of cases involves the same accident as IP 01-5343 et al., in which the plaintiffs are represented by Mike Eidson).

3. The defendants shall serve their non-core expert witness reports by **June 28, 2002**;
4. The parties shall exchange lists identifying supplemental experts who will offer “non-core” expert opinions on topics for which another party has identified an expert, but for which the supplementing party has not yet identified an expert by **May 31, 2002**;
5. The parties’ supplemental non-core expert witness reports shall be served by **June 28, 2002**.

“SECOND WAVE” FOREIGN ACCIDENT CASES

With the exception of four related cases—IP 00-5065-C-B/S (*Brzobohaty*), IP 00-5116-C-B/S (*Ruiz*), IP 02-5579-C-B/S (*Munoz*), and IP 02-5578-C-B/S (*Munoz*)—which are discussed below, the parties have agreed that all foreign accident cases that originally were included in the First Wave group (that is, cases that were filed in this court on or before June 30, 2001) and that are not included in the list of First Wave cases set forth above are hereby reassigned to the Second Wave group of cases for scheduling purposes. As for the four cases about which the parties could not agree, the magistrate judge has considered the parties’ arguments with regard to those cases and is very sensitive to the plaintiffs’ desire to move those cases toward trial as quickly as possible. Regrettably, however, in light of the amount of discovery that remains to be completed in those cases, the magistrate judge determines that they should be moved into the Second Wave group. The plaintiffs in those cases may ask for reconsideration of this decision if they are, in fact, able to schedule the necessary depositions quickly enough for the first wave

deadlines to be feasible, and the magistrate judge expects the defendants to cooperate fully with the plaintiffs attempts to arrange such a schedule.

The following deadlines shall apply to all “Second Wave” foreign accident cases:²

1. Case specific (i.e. non-core) discovery (with the exception of discovery related to expert witnesses) shall be completed by **September 30, 2002**;
2. The parties shall exchange lists identifying case-specific (i.e., “non-core”) expert witnesses and the topics on which they might offer expert testimony on or before **July 15, 2002**;
3. The plaintiffs shall serve their non-core expert witness reports by **August 15, 2002**;
4. The defendants shall serve their non-core expert witness reports by **September 15, 2002**;
5. The parties shall exchange lists identifying supplemental experts who will offer “non-core” expert opinions on topics for which another party has identified an expert, but for which the supplementing party has not yet identified an expert by **August 15, 2002**;
6. The parties’ supplemental non-core expert witness reports shall be served by **September 15, 2002**;

²In addition to those cases which are being moved from the First Wave to the Second Wave pursuant to this Entry, all foreign accident cases that were filed in this court in the third calendar quarter of 2001 are included in the Second Wave.

ENTERED this _____ day of April 2002.

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